

Duplicate

DOCKET NO.: TJU-2115

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Waldman, S.

Serial No.: 08/789,270

Group Art Unit: 1806

Filed: January 28, 1997

Examiner: T. Scheiner

For: METHODS OF AND KITS AND COMPOSITIONS FOR
DIAGNOSING COLORECTAL TUMORS AND
METASTASIS THEREOF

Assistant Commissioner
for Patents
Washington, D.C. 20231

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SEP 12 1997

Dear Sir:

MATRIX CUSTOMER
SERVICE CENTER

TERMINAL DISCLAIMER TO OBLIGATE A
DOUBLE PATENTING REJECTION OVER A PRIOR PATENT

Thomas Jefferson University, of Philadelphia,
Pennsylvania represent that:

the above-identified patent application, Serial Number 08/789,270, is a continuation application of Serial Number 08/305,056, which issued to Scott A. Waldman on February 11, 1997 as U.S. Patent Number 5,601,990;

it is the Assignee of U.S. Patent No. 5,601,990 through the Assignment of Scott A. Waldman of his entire right to Serial Number 08/305,056 to Thomas Jefferson University which was recorded on December 5, 1994 at Reel 7230, Frames 0742-0744;

it is the Assignee of the above-identified patent application, Serial Number 08/789,270, through the Assignment of Scott A. Waldman of his entire right to Serial Number 08/305,056 including "any and all continuations", the Assignment of Scott A. Waldman of his entire right to Serial Number 08/305,056 to Thomas

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Jefferson University which was recorded for Serial Number 08/789,270 on Reel/Frame 8627/0750.

Accordingly, Thomas Jefferson University is the assignee of the entire interest in both U.S. Patent No. 5,601,990 and the patent to be granted from the above-identified patent application, Serial Number 08/789,270.

Thomas Jefferson University hereby disclaims the terminal part of any patent granted on the above-identified application, which would extend beyond the expiration date of the full statutory term as presently shortened by any terminal disclaimer of Patent No. 5,601,990. Thomas Jefferson University hereby agrees that any patent so granted on the above-identified application shall be enforceable only for and during such period that the legal title of said Patent shall be the same as the legal title to United States Patent No. 5,601,990, this agreement to run with any patent granted on the above-identified application and to be binding upon the grantee, its successors or assigns.

Thomas Jefferson University does not disclaim any terminal part of any patent granted on the above-identified application prior to the expiration date of the full statutory term as presently shortened by any terminal disclaimer of Patent No. 5,601,990 in the event that it later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole or terminally disclaimed under

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37 CFR 1.321(a), has all claims canceled by a reexamination certificate, or is otherwise terminated prior to the expiration of its statutory term as presently shortened by any terminal disclaimer, except for the separation of legal title stated above.

The evidentiary documents accompanying or referred to in the instant Terminal Disclaimer have been reviewed by the undersigned and it is certified that to the best of assignee's knowledge and belief, title is in **Thomas Jefferson University**.

Thomas Jefferson University



By: Mark DeLuca
Registration No.: 33,229
Attorney of Record

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PATENT APPLICATION GROUP 1800

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Thomas Jefferson University

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